REMARKS

Claims 1-6 are all the claims pending in the present application. Claims 1-6 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Lepley et al. (U.S. Patent 5,623,209).

Briefly, Lepley is directed to a capacitive discharge ignition system that ultimately determines the condition in the ignitions system by analyzing the time between events marked by first and second circuits of the ignition system. *See Abstract and claim 1 of Lepley.*

With respect to independent claim 1, Applicants submit that Lepley does not teach or suggest at least, "circuit abnormality detecting means that receives a signal from the ignition timing control means, sets a capacitor voltage measurement time, and judges for a circuit abnormality on the basis of a voltage of the capacitor measured at the capacitor voltage measurement time." The Examiner alleges that digital computer 23 of Lepley corresponds to the claimed circuit abnormality detecting means, however, nowhere does Lepley disclose that the digital computer 23 sets a capacitor voltage measurement time and judges for a circuit abnormality on the basis of a voltage of the capacitor measured at the capacitor voltage measurement time. Further, Applicants submit that the Examiner's assertions in the Office Action support Applicants' argument that the above-quoted limitation is not taught by Lepley. That is, the Examiner also argues, in the Office Action, that the start discharge component 19 and the end discharge component 20 set the capacitor voltage measurement time; therefore, on the face of this assertion, it is clear that the digital computer 23, which allegedly corresponds to the circuit abnormality detecting means, does not perform the functions of the circuit abnormality detecting means described above. Further, as indicated in the description of Lepley set forth above, Lepley determines the condition of an ignition system based on a measured time,

however, the present invention, as recited in claim 1, judges a circuit abnormality on the basis of a voltage of the capacitor measured at the capacitor measurement time. Therefore, at least because Lepley does not teach each and every limitation of the present invention, as recited in claim 1, Applicants submit that claim 1 is patentably distinguishable over Lepley.

Applicants submit that dependent claims 2-6 are patentable at least by virtue of their dependencies from independent claim 1.

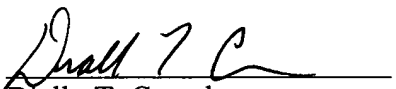
Further, with respect to claims 4 and 5, the Examiner alleges that the features of claims 4 and 5 are satisfied based on col. 3, lines 30-67 of Lepley. In response, in view of the Examiner's belief that the digital computer 23 corresponds to the claimed circuit abnormality detecting means, Applicants submit that nowhere does Lepley describe that digital computer 23 performs the particular operations set forth in each of claims 4 and 5. In fact, the digital computer 23 is only mentioned once in Lepley (see col. 3, lines 27-30), and that is with respect to initiating a read signal to a counter output register which transfers counts in; nowhere is there mention of the digital computer performing the specific operations set forth in claims 4 and 5.

At least based on the foregoing, Applicants submit that claims 1-6 are patentably distinguishable over Lepley.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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